June 22, 1964

MEMORANDUM FOR MR. TOLSON
MR. BELMONT
MR. ROSEN
MR. DE LOACH

Judge Edward A. Tamm called and advised that Ernest Cuneo had just left his office. Judge Tamm stated that Mr. Cuneo said he is going to try to see Assistant Director DeLoach today; that he has signed a contract with the Curtis Publishing Company to do 35,000 words, apparently in the book-of-the-week type of thing, on what Judge Tamm thought when Mr. Cuneo first started talking was the Warren Report about the assassination of the President. Judge Tamm stated that Mr. Cuneo is rather hard to understand and asked if I knew whether there is a Senate Committee making a similar investigation. I told the Judge there was not. Judge Tamm continued that Mr. Cuneo mentioned Senators Long and Russell and a couple of others were taking a very vigorous stand and it looked as though there was going to be a repudiation of Warren. Judge Tamm stated that Mr. Cuneo apparently has talked to Allen Dulles, who says the report is going to be a complete exoneration of the FBI for any responsibility because of the Secret Service's claim that the FBI should have notified them about Lee Harvey Oswald being there and of his background, et cetera. Judge Tamm stated he could not ask questions because he was not too sure of what Mr. Cuneo was talking about, but he thought he would tell me that Mr. Cuneo was going to ask to see Mr. DeLoach and he, Judge Tamm, was sure that Mr. DeLoach with his background could explore it with Cuneo. Judge Tamm stated Mr. Cuneo has interviewed a number of people, including as he had mentioned, Dulles, and he has substantial knowledge of what is going to be in the report which is to be released immediately after the Republican Convention.

I told Judge Tamm the Commission was aiming to get the report out on June 30th, that the Chief Justice had told me recently they were planning to have it released on June 30th, but I did not believe they would get it out because in talking with J. Lee Rankin I gathered there was still a great deal of spade work to be done plus the fact that all of the members of the Commission have not been in attendance at all times. Judge Tamm asked if Senator Russell was a member of the Commission, and I told him he was but he has been in attendance very seldom and has also been at loggerheads with Justice Warren and even threatened to resign several times, but at the insistance of the President, remained on so there would not be a public break in the midst of the report. Judge Tamm stated maybe that explains Cuneo's statement about a repudiation of Justice Warren.

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Memorandum for Messrs. Tolson, Belmont, Rosen, DeLoach

Senator Richard B. Russell Ga. D.C. D.C.

I stated in the first instance Russell did not want to go on the Commission and the original fight was over Warren Olney, as Justice Warren had wanted him made General Counsel of the Commission, but Senator Russell opposed vigorously, Dulles opposed it, and Congressman Ford opposed it and they all threatened to resign if Olney were appointed. I stated consequently they all started out with chips on their shoulders because Olney is a protege of Warren's. I stated that I thought indirectly they blame me for the attack on Olney although I did not raise a finger to it and it was done without my knowledge, but knowing Olney's hostility I have no doubt that Justice Warren was told of the opposition and both probably think I had my finger in it.

Chief Justice Earl D.C. Lady

I told Judge Tamm I appeared before the Commission about three weeks ago and out of the clear sky the day before I appeared, Justice Warren invited me to have luncheon with him in his private dining room, and I was a little puzzled, but he could not have been nicer in his solicitude and interest. I stated he talked about the fact I was going to testify the next day and wanted me to offer any suggestions and try to think of anything that ought to be done to tighten up the security of the President. I stated the next day I did appear and that I was there about three hours; that Justice Warren was there but Senator Russell was not nor was John McCoy. I stated in addition to the Chief Justice, there were present Senator Cooper, Congressman Ford, Allen Dulles, J. Lee Rankin, of course, and one or two others, who were probably staff members. I stated the questioning was very cordial and friendly and the atmosphere was really too warm in a pleasant way, but I answered all the questions satisfactorily, I thought, and in any event Mr. Rankin told me the next day that the testimony had great effect on the Commission and he thought it did me a great deal of good. I told Judge Tamm that I went into the field of the extent one can go in the security of the President without violating the civil rights of the people, and I took the position that absolute security could not be furnished the President without violating the constitutional and civil rights of the citizens of the country, that there are a lot of crackpots and members of subversive organizations. I stated I cited a case that had happened a week or so before my appearance in that we had furnished the Secret Service with the names of suspects in Chicago where the President was going to appear and the Secret Service got the Chicago Police to hold these people in house arrest for the time the President was in Chicago, and there had been quite a commotion about it. Judge Tamm commented that this was illegal. I stated I had nothing to do with what the Secret Service does with the information after we furnish it to them, but we have to keep in mind that there has to be a balance between the security of the President, who is very difficult to secure, and the civil rights and constitutional rights of the citizens. I stated that I would say in New York City there possibly

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are not less than 5,000 persons who would be on the suspect list and might be put under house arrest when the President visits that city and that would be a police state and I did not think it was the right procedure, but we are furnishing Secret Service with everything we have. I testified that in regard to Oswald, when they questioned whether he was on any suspect list, I stated he was not as he never gave any indication of being a person who might commit violence and we did not know and no one else knew that he had already tried to kill General Walker and this was not told us until after the President was killed and it was Oswald's wife who told us. I stated that Oswald had been playing around with communism, had defected to Russia, but there was no evidence of violence in his makeup, but we are now sending all names of this type of person to Secret Service. I said that will result in many persons being arrested or put under house arrest and I have great concern of the violation of the constitutional and civil rights of American citizens. Judge Tamm asked if my testimony was recorded and I stated it was.

Judge Tamm stated he did want to talk to me and let me know about Ernest Cuneo and that he was going to ask to see Mr. DeLoach. I told him I was glad he called and I would pass the word on to Mr. DeLoach. I called Mr. DeLoach and advised him.

Very truly yours,

J. E. H.

John Edgar Hoover
Director

SENT FROM D. O.
TIME 2:40 PM
DATE 6-22-64
BY [illegible]